PTO/SB/33 (09-08)

Doc Code: AP.PRE.REQ

Approved for use through 10/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Docket Number (Optional) PRE-APPEAL BRIEF REQUEST FOR REVIEW 101896-0366 (DEP-5181USNP) Application Number Filed 10/813,904-Conf. March 31, 2004 #5037 First Named Inventor Bryan S. Jones, Thomas V. Doherty, and Raymond F. Murphy Art Unit Examiner 3733 A. Yang Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a notice of appeal. The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided. I am the applicant /inventor. Signature assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) Rory P. Pheiffer is enclosed. (Form PTO/SB/96) Typed or printed name attorney or agent of record. 59,659 Registration number 617-439-2879 Telephone number attorney or agent acting under 37 CFR 1.34. November 20, 2008 Registration number if acting under 37 CFR 1.34. Date NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*. *Total of forms are submitted. Pre-Appeal Brief Request for Review

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: November 20, 2008

(Rory P. Pheiffer)